



TOWN OF FREETOWN
MASSACHUSETTS
Office of the Town Clerk

3 North Main Street
P.O. Box 438
Assonet, MA 02702
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www.freetownma.gov
townclerk@freetownma.gov

Cheryl C.A. Estrella
Assistant Town Clerk

March 19, 2021

Mr. James Frates, Chairman
Board of Appeals
Town of Freetown
3 North Main Street
Assonet, MA 02702

SUBJECT: CASE #591

Dear Chairman and Board of Appeals:

Today, March 19, 2021, Ms. Sarah Boehler filed for an appeal regarding a home occupation business at her residence at 3 Ole Blue Way (226-136.01) in East Freetown.

We are therefore submitting this application to the Zoning Board of Appeals who is the Special Granting Authority according to the Town of Freetown Zoning Bylaws Article 11 Sec 11.19.

Sincerely,

Cheryl C.A. Estrella
Assistant Town Clerk

cc: Planning Board
Building Commissioner
Assistant Assessor
Town Administrator



RECEIVED
TOWN OF FREETOWN
COMMONWEALTH OF MASSACHUSETTS
FREETOWN TOWN CLERK
2021 MAR 19 AM 9:24

March 18 2021

— Submit two original copies (original signatures) to the Town Clerk's office —

To the Board of Appeals:

The undersigned hereby petitions the Board of Appeals as follows:

Name of Petitioner: Sarah Boehler
Mailing Address: 3 ole Blue way, East Freetown, MA 02717
Property Owner: Michael + Sarah Boehler
Mailing Address: Same
Property Address: 3 ole Blue way, East Freetown, MA 02717
Zone: (R) B I 1/2 VR VB OSR Reg. of Deeds Book: 6522 Page: 305
Assessors Map # 226-31 Lot # 4 Area of Lot: 70,000 sq. FT / 1.61 Acres
Frontage: 175 feet

Nature of Relief Sought:

☒ Special Permit under Article 11, Section 16 of the Protective By-laws.

☐ Variance from Article 11, Section 15 of the Protective By-laws.

☐ Appeal from a decision of the Building Inspector/Zoning Enforcement Officer, dated

March 17, 2021 (Please attach a copy.)

Provide a brief description of your proposal/request:

I propose to build out a space on Ground level.
For easy access For clients to come to my
place of business. The area is part of the garage
but will be built out to have a waiting area,
treatment room and bathroom. Built To code
and hand'cap accessible.

If your request is for a variance, you must indicate what your hardship is. A hardship may be based on the soil conditions or topography of your property, the shape of your property, or the locations of existing structures, wells, or septic systems on your property. Simply wanting something that is not allowed under the by-laws does not constitute a hardship. Please describe your hardship(s) below:

please see attached letter: Due to COVID
pandemic I have had to rebuild my business, completely
starting over. The issue does not balance with what
can be currently made as income and what is paid in
monthly rent.

If your request is for a special permit for an accessory apartment, you must provide the following information:

Square footage of existing home: 2760
Square footage of proposed apartment: 392 (maximum 1,000 square feet)

I hereby request a hearing before the Zoning Board of Appeals with reference to the above petition or appeal. All of the information on this petition, to the best of my knowledge, is complete and accurate. I understand that I will be responsible for paying the cost of newspaper advertisements for my hearing, and for the cost of notifying the abutters to my property of the hearing by certified mail, return receipt, with notices provided to me by the Board. I also understand that I will be responsible for paying the costs of any engineering, architectural, legal or other consultants deemed necessary by the Zoning Board of Appeals to assist in its consideration of this application, pursuant to G.L. c.44, §53G and that failure to timely pay such costs shall constitute grounds for denial of this application.

Petitioner Signature: Sarah Boehler Date: 3/18/21
Sarah Boehler

Property Owner Signature: _____ Date: 3/18/21

Petitioner Telephone Number: 508 728 5762

Petitioner E-mail Address: sarahboehler@comcast.net

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All applications for variances should be accompanied by two copies of a site plan, and one additional copy that must be 11" x 17" in size, all prepared by an engineer. **Be sure you provide enough copies that BOTH the Town Clerk's office AND the Board of Appeals receive copies.** Your site plan should include the following:

- (a) Existing and proposed street lines and names.
- (b) Existing and/or proposed buildings, including accessory buildings.
- (c) Existing and/or proposed driveways.
- (d) General locations of wetlands and waterways, if any.
- (e) Locations of wells and septic systems.
- (f) Soil types and conditions and groundwater table, if applicable.
- (g) Setback distances from streets and abutters.
- (h) Footage for all lines of the property and total area (in acres or square feet).

All applications for special permits for accessory apartments should be accompanied by two copies of a plan for the apartment, at least one of which must be 11" x 17" in size. **Be sure you provide enough copies that BOTH the Town Clerk's office AND the Board of Appeals receive copies.** Your plan should include the following:

- (a) Layout of the apartment in relation to the existing house.
- (b) Dimensions of rooms, and dimensions and overall square footage of the apartment.
- (c) If the apartment will require an addition to the home, the setback distances from streets and abutters.



TOWN OF FREETOWN
OFFICE OF THE
BUILDING COMMISSIONER

3 North Main Street
P.O. Box 438 - Assonet, Massachusetts 02702
Tel. (508) 644-2202
Fax (508) 644-2183

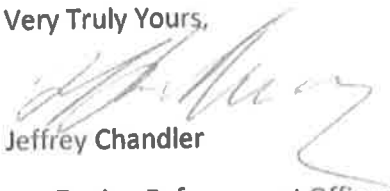
March 17, 2021

Sarah Boehler
3 Ole Blue Way
E Freetown Ma, 02717

Dear Sarah,

This office has received an application for a home occupation to conduct a Holistic Health and Wellness business at **3 Ole Blue Way (226-136.01)**. The Application is denied for the following reason, place of business is not allowed in a residential zone per Article 11.5 for a Home Occupation. Zoning By-Laws do not permit to conduct a business in a Residential Zone. Article 11.6 does allow you to appeal my decision for a special permit with the ZBA. You will need to apply to the Town Clerk for a hearing within 30 days of this notice.

Very Truly Yours,



Jeffrey Chandler

Building Commissioner, Zoning Enforcement Officer

Cc: Office file, Town Clerk, ZBA

2-26-2021

Sarah Boehler
3 Ole Blue Way
East Freetown, MA 02717

To whom it may concern,

It is my intention to have an in home business. I am currently working out of a space in Lakeville doing holistic health education, energy work, and massage therapy/ bodywork (fully licensed as LMT and licensed for solo establishment for massage by the state). Due to the COVID pandemic I have had to rebuild my business, completely starting over. The issue does not balance with what can be currently made as income and what is paid in monthly rent. There are also added costs to be COVID compliant for safety. A true hardship for those of us having to start over again and wanting to be productive in our chosen fields of business. Also, in working from home I can deliver adjustable and affordable rates to those also in hardship but still need help. Everyone deserves to feel well!

I also have a daughter that requires extra attention. This issue causes me to have to work more part time flexible basis and be close and available for her. This particularly is difficult and appears to be long term situation. Working from a designated area from home makes sense to help with this.

I do have available space above the garage but was told this would not be allowable due to specific restrictions related to second floor accessibility. This is why we are proposing additional work to the house. In truth if a client was in need and not able to see me in any office or space I was working in due to disability or limited mobility issue I would go to them to offer services.

The nature of my business integrates my over 20 years of being a registered nurse, 12 years of studying and offering services of holistic health & energy work modalities, as well as being a licensed massage therapist/ bodyworker for almost 3 years now. The goal is to serve and help others. It promotes health and wellness through 1:1 sessions with clients, coaching/ guidance, and holistic education. The business offers ways to improve and maintain's one's quality of life through natural energy based practices infused into different holistic modalities.

Clients will generally be seen 1:1 and by appointment only. They will be spaced out to limit contact with each other and cleaning protocols to be completed. Spacing allows the flow of traffic to have no or minimal impact on neighbors and avoid parking issues.

Sincerely,



Sarah Boehler

Town resident for 20 years

Boehler Residence - 3 ole Blue way
26' East Freetown

MAIN
House
2 STORIES
COLONIAL
1968 sq. FT.

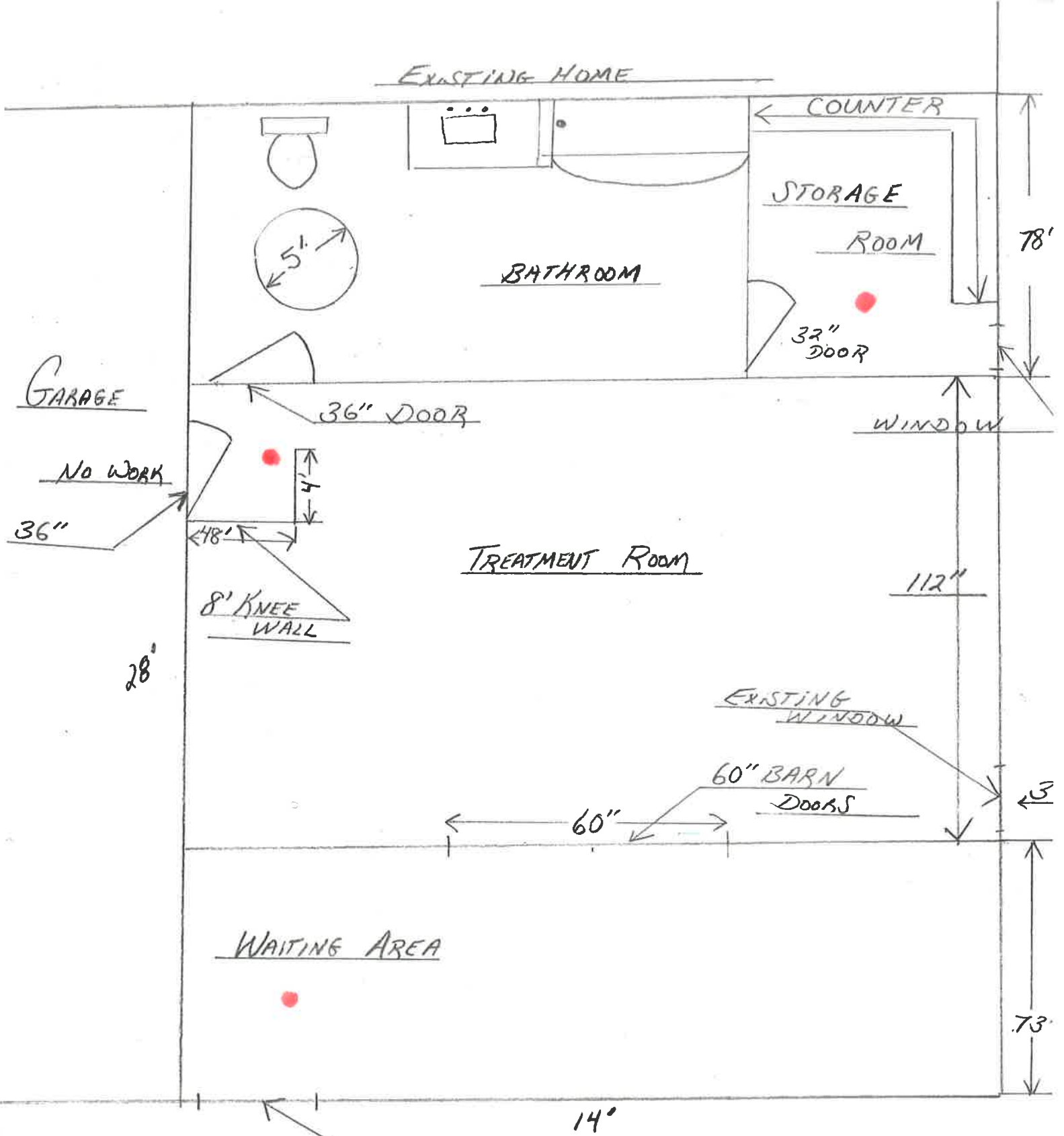
TOTAL Living Space - 2760

↓ Room Above Garase 784 sq. FT

Garage

BUILD
OUT
Area
For use
392 sq. FT.

28'



EXISTING CEILING
5/8\" FIRE RATED
ALREADY

• COMBO SMOKE
CARBON

BOEHLER RESIDUAL

March 18, 2021

I Glen Hogan, do not have any issues with Sarah Boehler having a small private business at her house located at 3 Ole Blue Way in East Freetown.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glen Hogan".

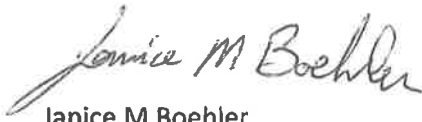
Glen Hogan

13 Beech Bluff Rd

East Freetown, MA

I Janice M Boehler of 25 Beech Bluff Rd in East Freetown have no problems with Sarah Boehler having a business at her house. I am a family member and close neighbor.

Thank You

A handwritten signature in cursive script that reads "Janice M Boehler". The signature is written in dark ink and is positioned above the printed name.

Janice M Boehler

March 18, 2021